

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

		Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)
Applicant's or agent's file reference see form PCT/ISA/220		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/DK2005/000014	International filing date (day/month/year) 12.01.2005	Priority date (day/month/year) 23.01.2004
International Patent Classification (IPC) or both national classification and IPC F03D11/00		
Applicant LM GLASFIBER A/S		

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:	Authorized Officer
 European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Steinhauser, U Telephone No. +31 70 340-4171
	

10/587134

International application No.
PCT/DK2005/000014

AP20 Rec'd PCT/ISA 21 JUL 2006

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material:
 - in written format
 - in computer readable form
 - c. time of filing/furnishing:
 - contained in the international application as filed.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/DK2005/000014

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	4-13
	No: Claims	1-3 14-25
Inventive step (IS)	Yes: Claims	4 7-13
	No: Claims	1-3 5 6 14-25
Industrial applicability (IA)	Yes: Claims	1-25
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

10/587134

1AP20 Rec'd PCT/PTO 21 JUL 2006
International application No.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

PCT/DK2005/000014

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1 Reference is made to the following documents:

D1: WO 01/77527
D2: US-B1-6 457 943
D3: DE 197 48 716

2 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of independent claims 1 and 22 is not new in the sense of Article 33(2) PCT.

2.1 Document D1 discloses (the references in parentheses applying to this document) a method of manufacturing a fibre-reinforced blade for a wind energy plant wherein the method comprises that the blade is provided with segmented conductor means (9) and that the conductor means are distributed and secured at the external surface of the blade shell in such a way that the conductor means are essentially flush with the external surface of the blade shell (see page 9, l. 18 ff; figs. 4-7).

The same argumentation applies in view of the disclosure of the documents D2 and D3 (see the respective passages cited for these documents in the search report).

The same reasoning applies, mutatis mutandis, to the subject-matter of the corresponding independent claim 22, which therefore is also considered not new.

3 Dependent claims 2,3,5,6,14-21 and 23-25 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (see documents D1-D3 as indicated in the search report as well as the further documents relating to the claims 5 and 6 and the corresponding passages cited in the search report).

4 The combination of the features of dependent claims 4,7 and 8-13 is neither known

from, nor rendered obvious by, the available prior art.

5 The invention is industrially applicable in the field of wind energy plants (Art. 33(4) PCT).

Re Item VIII

Certain observations on the international application

1 Claims 1 and 22 do not meet the requirements of Article 6 PCT in that the matter for which protection is sought is not clearly defined. The claims attempt to define the subject-matter in terms of the result to be achieved, which merely amounts to a statement of the underlying problem, without providing the technical features necessary for achieving this result.

1.1 Claim 1 belongs to the category of a method claim. However, the subject-matter of claim 1 fails to integrate precise steps related to such a method of manufacturing a blade as e.g. it has been done in claim 2.
Second, the method "that the blade is provided with segmented conductor means" (claim 1, l. 6) and "that the conductor means are distributed and secured ..." (l. 9) cannot be regarded as a method step because it clearly refers to technical features of the blade rather than a method of manufacturing the blade itself.
Third, the characterizing portions of both independent claims are identical whereby the scope of protection for both claims, i.e. method claim 1 and product claim 22 is rendered unclear.